

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE  
Transcriber's Office

March 30, 1999      LB 530

litigation in the federal courts right now, which alleges that we exercised, for lack of better terms, bad faith in the way that we denied and the processes that we used to deny the permit basically to build the facility. If there's a judicial determination of that, the other states probably could use that, go in and, as a group, then go to court. Well, they'd probably meet together first as a commission, say that we've acted and vote to suspend us. Then we'd have to defend ourselves that what our actions were, were done in good faith and fight the expulsion stuff. I think that's going to take a period of time for them to do. Withdrawal...if we start the process now, in five years we're withdrawn. That's a better alternative than just waiting to see what happens.

SENATOR CUDABACK: So if we start the process now in good faith we were withdrawing, why, we would have no chance of being expelled or whatever.

SPEAKER KRISTENSEN: Well, we always run the risk that they could, what they call, suspend or revoke, but I used "expel" just 'cause it's an easier term to explain to people, but there is always that risk that that's what could happen to us. I'm just saying that if we start the process now we start the clock running and then they leave that up to us. But there is that risk that's out there. By withdrawing, we're...we have the perfect legal right to withdraw. It is specifically laid out in the compact language we may withdraw. What we're doing is just following what we agreed to.

SENATOR CUDABACK: Okay, thank you, Senator Christian (sic). I think the point is made and I think we better...I think we better get with it, in other words. Thank you.

SENATOR WICKERSHAM: Senator Tyson, followed by Senator Wehrbein.

SENATOR TYSON: Thank you, Senator Wickersham, members of the body. I rise in support of LB 530, but I would like to ask Senator Dierks one question, if I may.

SENATOR WICKERSHAM: Senator Dierks, will you yield?